



Substitute Senate Bill No. 1069

Public Act No. 15-114

AN ACT AMENDING THE CHARTER OF THE METROPOLITAN DISTRICT IN HARTFORD COUNTY AND EXTENDING THE MATURITY DATE FOR MUNICIPAL SEWERAGE SYSTEM BONDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (b) of section 39 of number 511 of the special acts of 1929, as amended by special act 80-14, special act 90-14 and section 1 of special act 08-9, is amended to read as follows (*Effective October 1, 2015*):

(b) Whenever any work shall be necessary to execute or perfect any public work or improvement, or whenever any supplies for the district shall be needed for any particular purpose and such work or supplies shall involve the expenditure of more than twenty-five thousand dollars, except in the case of an emergency to be determined by the district board, a written contract for such work or supplies shall be made under such regulations or ordinances as the district board may establish, which contract shall be based on sealed bids. At least ten calendar days prior to the time designated for opening competitive bids or proposals, the district shall solicit competitive bids or proposals by (1) publishing notice in daily and weekly newspapers servicing the member municipalities provided a description of such legal notice containing a brief summary of the competitive bid or proposal being noticed and a reference to the

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Internet web site of the newspaper in which such legal notice is placed may be published in lieu of the full legal notice, and (2) posting notice on the Internet web site of the district. Any newspaper that offers publication of such legal notices on an Internet web site shall post the full legal notice in a conspicuous location on such web site and make any such full legal notice available to the public free of charge. The district may send such notice to trade associations or other groups active in the business or service solicited. Each contract awarded by the district shall be awarded to the lowest qualified bidder with bid requirements, except as provided in this subsection.

Sec. 2. Section 14 of number 511 of the special acts of 1929, as amended by section 1 of number 332 of the special acts of 1931, number 127 of the special acts of 1947, section 2 of special act 79-102, special act 80-13, section 1 of special act 83-31 and section 5 of special act 90-27, is amended to read as follows (*Effective October 1, 2015*):

(a) Appropriations to be financed by the issuance of bonds, notes or other obligations of the district may be made at any time upon approval of the district board and recommendation of the board of finance in accordance with section 20 of number 511 of the special acts of 1929.

(b) (1) Any appropriation in excess of [five million dollars] the amount set forth in subdivision (2) of this subsection for any single item of capital expense not regularly recurring, including, but not limited to, a capital purpose, a public improvement or an extraordinary expenditure which may properly be financed long-term rather than from current revenues, notwithstanding that such appropriation is included in the budget to be met from current revenues, [and any financing lease under which the total amount of payments shall be in excess of five million dollars,] shall be approved by a two-thirds vote of the entire district board and by a majority of the electors of the district at a referendum of the district called by the district board in accordance with the requirements of section 5 of number 511 of the special acts of 1929, as amended by special

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act 77-54; provided an appropriation for any reason involving not more than [ten million dollars] twice the amount set forth in subdivision (2) of this subsection in any one year for the purpose of meeting a public emergency threatening the lives, health or property of citizens of the district may be made upon approval by a two-thirds vote of the entire district board without submission to the electors of the district; provided further, appropriations may be made in any amount without submission to the electors of the district for any public improvement all or a portion of which is to be paid for by assessments of benefits or from funds established to pay for waste or water facilities pursuant to section 13 of number 511 of the special acts of 1929, as amended by number 366 of the special acts of 1949, special act 77-54 and special act 83-31; and provided further, submission to the electors of the district shall only be required with respect to such portion, if any, of any appropriation approved by the district board on and after October 1, 2015, as exceeds the amount set forth in subdivision (2) of this subsection. The district board may determine, in the case of appropriations for water, sewer and utility line extensions and improvements, or the installation or replacement of service meters, the definition of what shall constitute a single item of capital expense for purposes of compliance with the referendum requirement of this section. Such determination may be contained in the capital budget or a resolution making such appropriation or authorizing the issuance of bonds, notes or obligations of the district and any such determination shall be final and conclusive.

(2) On and after October 1, 2015, the threshold amount for purposes of subdivision (1) of this subsection shall be twenty million dollars as adjusted annually thereafter on October first by a percentage equal to the increase, if any, in the consumer price index for urban consumers, as most recently determined by the United States Department of Labor, Bureau of Labor Statistics for the most recent twelve-month period available, provided for any appropriation adopted by the district board on and after October 1, 2015, the aggregate amount of federal

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and state grants available, committed to be made available or expected to be made available for the appropriation at issue, each as determined by the district board whose determination shall be conclusive, shall be deducted from the amount of the appropriation in determining whether such threshold is met.

Sec. 3. Section 49 of number 511 of the special acts of 1929, as amended by section 4 of number 332 of the special acts of 1931 and number 245 of the special acts of 1945, is amended to read as follows (*Effective October 1, 2015*):

Said bureau shall be empowered to make use of the ground or soil under any road, railroad, highway, street, private way, lane or alley within this state, for the purpose of constructing the waterworks; but shall in all cases cause the surface of such road, railroad, highway, street, private way, lane or alley to be restored to its usual condition and all damages done thereto to be repaired. The district board of said district shall make ordinances prescribing the duties of the water bureau not expressly prescribed in the charter of said district, its powers over the water fund of said district and duties relative thereto, the officers of said bureau and their compensation and their bonds and oaths of office, the powers of said bureau over the waterworks of said district and the mode in which all charges for water, including amounts guaranteed on new mains, the cost of laying water mains in streets or highways and the cost of laying or replacing service pipes upon public or private property shall be collected by assessment upon the lands and buildings benefited thereby or otherwise and secured by lien on lots, houses or tenements or otherwise; also relative to the number of said bureau to constitute a quorum. Rates for water shall be uniform throughout the district. Such lien shall take precedence over all other liens or [incumbrances] encumbrances except taxes due to the state and town, and such lien may be foreclosed in the name of The Metropolitan District in the same manner as if the lien were a

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mortgage on such property in favor of said district, to secure the amount of such costs, charges or assessments, and a certificate of such lien describing the property on which the same exists and the amount thereof shall be filed with the town clerk of the town wherein such lien accrued, but no such lien shall attach unless such certificate, signed by the executive secretary or other authorized representative of the water bureau of said district, describing the property on which the lien exists and the amount to be claimed by said district as a lien thereon, shall be filed with such town clerk within ~~[one year]~~ two years after the assessment or charge shall have become payable.

Sec. 4. Section 7-263 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

Bonds, notes or other obligations issued under the authority of this chapter (1) shall be in serial form (A) maturing in annual or semiannual installments of principal that shall substantially equalize the aggregate amount of principal and interest due in each annual period, commencing with the first annual period in which an installment of principal is due, or (B) maturing in annual or semiannual installments of principal no one of which shall exceed by more than fifty per cent the amount of any prior installment, or (2) shall be in term form with mandatory deposit of sinking fund payments into a sinking fund in amounts (A) sufficient to redeem or amortize the principal of the obligations in annual or semiannual installments that shall substantially equalize the aggregate amount of principal redeemed or amortized and interest due in each annual period, commencing with the first annual period in which a mandatory sinking fund payment becomes due, or (B) sufficient to redeem or amortize the principal of the obligations in annual or semiannual installments no one of which shall exceed by more than fifty per cent the amount of any prior installment, provided such requirements will be deemed to have been met with respect to any

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issue if they would have been met by the issue taken together with all other bonds, notes or other obligations previously issued under this chapter, any provision of the general statutes or any special act and declared by the municipality to be part of a single plan of finance. The first installment or the first sinking fund payment of any such series of obligations, other than obligations secured solely by a pledge of revenue to be derived from sewerage system use charges, shall mature or shall be due not later than three years from the date of issue of such series and the last installment or the last sinking fund payment shall mature or shall be due not later than [thirty] forty years from the date of issue of such series or, if any notes have been issued in anticipation thereof or are to be paid from the proceeds thereof, from the date of issue of the first such note. The first installment or the first sinking fund payment of any series of obligations issued under the authority of this chapter which are secured solely by a pledge of revenues to be derived from sewerage system use charges shall mature or shall be due not later than four years from the date of issue of such series and the last installment or the last sinking fund payment shall mature or shall be due not later than [thirty] forty years from the date of the issue of such series or, if any notes have been issued in anticipation thereof or are to be paid from the proceeds thereof, from the date of issue of the first such note.

Approved June 30, 2015